



Tradewinds

June 2008

Monthly Newsletter

Gay Marriage In California *by Roy Liebman, Publications Chair*

To the undoubted surprise of most people, the California Supreme Court has voted to overturn the ban on same-sex marriage within the state. The ruling was not only a rare court victory for gays and Lesbians who want to wed but it came from a Republican-dominated, supposedly conservative court. By a 4 to 3 margin the majority said that the state constitution supports a fundamental right to marry for all people, not only one man and one woman, and that discrimination on the basis of sexual orientation was no more permissible than race or gender bias. Writing for the majority, Chief Justice Ronald George said "An individual's capacity to establish a loving and long-term committed relationship with another person...does not depend on the individual's sexual orientation". Even one of the dissenting justices stated that gay people should be allowed to call their civil union a marriage, but she cited the opposition of a majority of Californians as expressed in the passage of Proposition 22 in 2000, which garnered a 61% vote in its favor.



Theoretically the decision opens the way for couples to marry by the middle of June, but the decision could be stayed pending the outcome of a petition drive to put an anti-gay marriage constitutional amendment on the November ballot. To no-one's surprise opposition to the ruling came swiftly and vociferously from "pro-family" groups, Catholic bishops and others who supposedly "love the sinner but hate the sin" (i.e., homosexuality). The campaign for the proposed amendment was underway well before the court ruling.

According to a recent poll, the amendment is currently supported by a majority of Californians, but the 54% to 35% margin is smaller than in previous polls. Indeed more than half of those polled said they did not consider gay relationships immoral. (Interestingly, more men than women, by 58% to 50%, agreed they were not immoral.) Those under the age of forty-five were generally against

the proposed amendment as were a majority of people who claimed to know at least one gay person. (Those others who say they don't know even one gay person are probably deluding themselves.) More than a million pro-amendment signatures have been submitted, apparently enough to qualify it for the ballot.

Governor Arnold Schwarzenegger, who had previously vetoed two bills that would have allowed gay marriage, has said he will respect the Court's ruling and oppose such an amendment. California already has a domestic partnership law on the books but the court said that is not equal to marriage and imposes "appreciable harm" on gay couples and their children. Even if the ruling stands after November other states do not have to recognize the validity of California marriages, according to Federal law. Same-sex couples would still not be eligible for the Social Security benefits of the other spouse nor be able to file joint tax returns. It is estimated that at least 100,000 households in California are headed by gay and Lesbian couples.

Although it seems clear that even out-of-state couples would be allowed to marry in California other questions remain. A major one is whether those married before a constitutional amendment takes effect (if it does) would still be legally married afterwards. The marriages of those couples wed in San Francisco in 2004 were all declared null and void by the same court that has now decided in favor of gay marriage. Currently Massachusetts is the only other state whose high court has supported gay marriage and that ruling seems in no danger of being overturned. Numerous other states have passed constitutional amendments banning gay marriage and none of the candidates for President has "come out" in support of gay marriage. All, including John McCain, have supported civil unions. Legal

experts say that even if the current Supreme Court decision is voided by a state amendment it has opened a door that is likely to open wider over the long run.

Thailand Red Cross Lifts Ban on Gay Blood Donors

contributed by Milt Owens



The Red Cross of Thailand announced recently that it would change its screening process for blood donors following strong protest from gay rights groups reacting to an earlier announcement on a blanket ban of gay blood donors.

Reversing its decision to reject all blood donations from men who have sex with men - even just once, the Red Cross of Thailand announced that it would rework the form to more comprehensively assess a potential donor's risk of disease.

In early April, the Thai Red Cross Society announced that it would adopt a ban similar to one that was implemented in the US in 1985 where blood banks will not accept blood donations from "any male who has had sex with another male since 1977, even once."

(The American Red Cross today says a lifetime ban for gay men is "no longer medically and scientifically warranted" although US Food and Drug Administration still bans gay men for life.)

The decision attracted criticism by gay and human rights groups in Bangkok which urged the Red Cross to focus on screening out anyone - gay or heterosexual - with risky sexual behavior and drug habits, instead of blocking all gay men from donating by only asking about same-sex relations.

The Commission for Human Rights of Thailand threatened to file a lawsuit with the Constitutional Court saying that the Red Cross's decision amounted to discrimination.

According to media reports, Soisaang Pikulsod, director of the Thai Red Cross National Blood Centre, earlier said that the blood bank had large amounts of unused blood that had tested HIV-positive and most of the infected blood was reportedly from men who were having unprotected sex with other men.

Soisaang revealed that the agency had become concerned after it found HIV in blood from 500 donors in 2007. She added that although almost all the donors were notified of their infection only one third of them returned for further counseling. Of those who returned, half said they were gay and half said they were bisexual.

"We didn't mean to hurt anyone," Soisaang said, explaining the reversal. "It was just to ensure the highest possible safety of our patients."

According to an editorial in the Bangkok Post, of the nearly 14,000 Thais who acquired HIV in 2007, 34 percent were young women and housewives while MSM (Men who have Sex with other Men) comprised the second largest group at 24 percent.

France, Spain, Italy and South Africa are among countries that have lifted the blanket ban on blood donations from gay and bisexual men and now base their screening process on differentiating between risky and non-risky behavior, regardless of sexual orientation. Blood banks in the UK, US, Canada, and Australia are among those not as enlightened.

Military's "Don't ask, don't tell" policy is loosing ground

contributed by Bill Tom

The military cannot automatically discharge people because they're gay, a federal appeals court ruled in the case of a decorated flight nurse who sued the Air Force over her dismissal.

The three judges from the 9th U.S. Circuit Court of Appeals reinstated Maj. Margaret Witt's lawsuit, saying that the Air Force must prove that her dismissal furthered the military's goals of troop readiness and unit cohesion.

Although the 'don't ask, don't tell' policy remains standing, it is the first time that an appeals court ruling has taken into consideration the 2003 Supreme Court decision that struck down a Texas sodomy ban.

Margaret Witt joined the Air Force in 1987 and was deployed in 2003 to Omen to support the invasion of Afghanistan. She received a citation from President Bush that year for: "Her airmanship and courage directly contributed to the successful accomplishment of the important missions under extremely hazardous conditions."

"I am thrilled by the court's recognition that I can't be discharged without proving that I was harmful to morale." Witt said in a statement. "I am proud of my career and want to continue doing my job. Wounded people never asked me about my sexual orientation. They were just glad to see me there."

Hong Kong to hold pride march in October, say IDAHO organizers

Hong Kong may not yet have its Pride March, but it has marched for three years running on IDAHO day; last year about 600 marchers went the considerable distance from Causeway Bay to Central to make a collective stand against homophobia. For this year's IDAHO day, people from some twenty-four groups involved in *tongzhi* issues in Hong Kong got together in two locations separated by the harbor and spread over two days.

This year, the 4th IDAHO celebrated in Hong Kong, was marked in a considerably different way. On the first day, Saturday the 17th, the running (or rather I should say the marching) was organized by a group of mostly straight students who turned out to support their minority fellows. Kowloon was thus privileged to see what we think was its first march in support of *tongzhi* (literally meaning comrade, the term is frequently used to refer to LGBTs) rights conducted by the Hong Kong Federation of Students. Their Social Movement Resources Centre has a group called Autonomous 8A, which decided, under the catchy banner of 'Straights for Homos', to show that the morality of the majority in Hong Kong is not at all of the fundamentalist Christian kind. And why the use of the word 'homos', not exactly one of the favorite labels on most of our lips? To reclaim it, as 'queer' has been reclaimed, from those who use it to foster hatred, according to this group.



About 70 of them and their supporters gathered at a public garden in Sham Sui Po, where two leading 'participants' in their IDAHO Working Group (they are famously democratic and won't admit to having leaders), Choi Fung and Dominic Fok, harangued both the marchers and the crowd of rather bemused locals who were sitting about the park eating their lunch or reading their papers in the sunshine.

The march set off down the centre south bound lane of Nathan Rd, in two hours covering the entire length of the road as far as Yau Ma Tei, right through the shopping centre of Mongkok and halting all traffic as it passed. The loudspeaker chants (broadcast to speakers at back and front of the column from a neat mobile electronic platform, pushed down the road on wheels) could not be avoided by the massed crowds of shoppers held back all along Kowloon's principal thoroughfare behind blue police tape. At the junction with Waterloo Rd, the march halted under a 50-foot poster displayed high above the ground. Placed there by a fundamentalist Christian group, it stated (in Chinese characters) "We want a holy and pure city. We don't want a city full of sex and erotic;" this advertisement had apparently been put up in several sites in the city following the recent photographic debacle by Edison Chen, but the marchers used it as the key to shouting out to the spectators massed around the junction slogans illustrating the kind of Hong Kong *they* wanted, one free of discrimination and fear. After some more speeches, the marchers dispersed from the gardens in Temple St.

That evening, the same group arranged a public forum to discuss the plight of *tongzhi* students at secondary school: could they date, could they be treated as couples, and other similar questions. This debate aimed to mirror one held some 15 years ago on the same subject for straight students in Hong Kong. Straight *tongzhi* supporters have been making news here in Hong Kong over the last few months. In April, Dr John Green, a straight teacher at Li Po Chun United World College of Hong Kong, bravely protested the College's action in inserting wording into its teachers' contracts of employment to restrict the benefits given to their married staff to couples who were one man and one woman. Dr Green could not stomach this and resigned. It is good to see that a growing number of the straight majority in Hong Kong is changing its mind and is not afraid to say so.

Those who gathered in Causeway Bay on Sunday, May 18. were this time LGBT men and women protesting their own rights. They numbered some 300, representing almost all the *tongzhi* groups in Hong Kong. Interestingly, these included several liberal religious bodies, amongst them the Blessed Minority Christian Fellowship, the Hong Kong Christian Institute and the Spiritual Seekers Society, who led the meeting at one point in singing and in testifying that many Christians support the struggle against discrimination based on gender. For this year's main IDAHO event extended the usual theme of protest against homophobia to include discrimination against anyone, as the literature put it, 'not embraced by binary gender concepts': the transgendered, the transsexual and the cross dressing. The pedestrians East Point Road, behind Sogo, was cordoned off for the crowd which gathered in front of the platform and around the large rainbow flag which covered most of the tarmac. On this, many of those present lay down in turn to symbolize the victims of the nine cases read out from the platform of discrimination and oppression, while others around them joined hands.

On the platform, the event's two presenters, Tom Cat and Ken Chai (Kenneth Cheung Kam Hung, the coordinator of Hong Kong's Rainbow Centre), led a team of volunteers who read and sang throughout the 2-hour session. At the end of the day, they explained the reason for the lack of an IDAHO march on Hong Kong side this year. Hong Kong will see its first pride march in October, and the IDAHO organizers preferred not to steal the limelight.

The anthem written for this year's IDAHO protest, sung enthusiastically in both Cantonese and English by the crowd, put it clearly: 'Queer are ready' (and they really did sing 'Queer', rather than 'Queers'), at the least, for a really massive turnout in October to show what is left of the majority that has yet to face the fact that we are here and that we will no longer tolerate the discrimination of the past.

COMING IN JUNE



A/PGF's Toga/Gladiator Pool Party

Saturday, June 28th beginning at 1 PM

11414 Ruggiero Ave in Lake View Terrace 91342

You are invited to the A/PGF's Toga / Gladiator Pool Party. The theme is Ancient Rome. Come dressed in Toga, Gladiator costume or other sexy Ancient Roman attire.

Bring your swimsuit and towel if you want to take a dip in the Roman Pool. It will be a celebration of all things Roman.

A/PGF will be providing food, beverages and entertainment.

\$10 for A/PGF members and \$15 for non-members. **RSVP is required thru Evite.** Did not receive an Evite? Click [here](#) to be added to our guest list.

Here's a website with info on how to put together an inexpensive toga:

www.howtomakeatoga.info

Our First Beach Get Together For 2008 Sunday, June 29th At 11:30 AM

Join us for an afternoon of sun and fun. There will be plenty of "eye candy". Just bring your own food, drinks, towels, sun tan lotion and a festive attitude!!

You're invited to a
BEACH PARTY
at Will Rogers State Beach
on Sunday, June 29th at 11:30 AM

We will meet about 50 yards south of the Lifeguard Station #18. The station is located right at the intersection of Pacific Coast Highway and Chautauqua Blvd.



Check our Event Calendar on our website www.apgf.org for complete details on any of our events

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